

CHAPTER 4

LAND USE AND ZONING

Land use patterns constitute the "fabric" that makes a town viable and unique. The pattern that is established early on in a town development history can be a strong determinate in future growth patterns if regulations are not changed to establish a more desirable development direction. Zoning regulations are the Town's most influential control over future development. Zoning and subdivision regulations determine what land may be used for and when, but also affect the appearance or "character" of new development, regulate site design, and regulate the connections between new and existing development.

Existing zoning regulations and land-use definitions, particularly as they affect commercial and industrial development, can significantly affect the success of the Town's economic base. Inappropriate definitions, categories, and regulations can needlessly complicate the plan review process, and provide minimal benefit to the property owner or the Town.

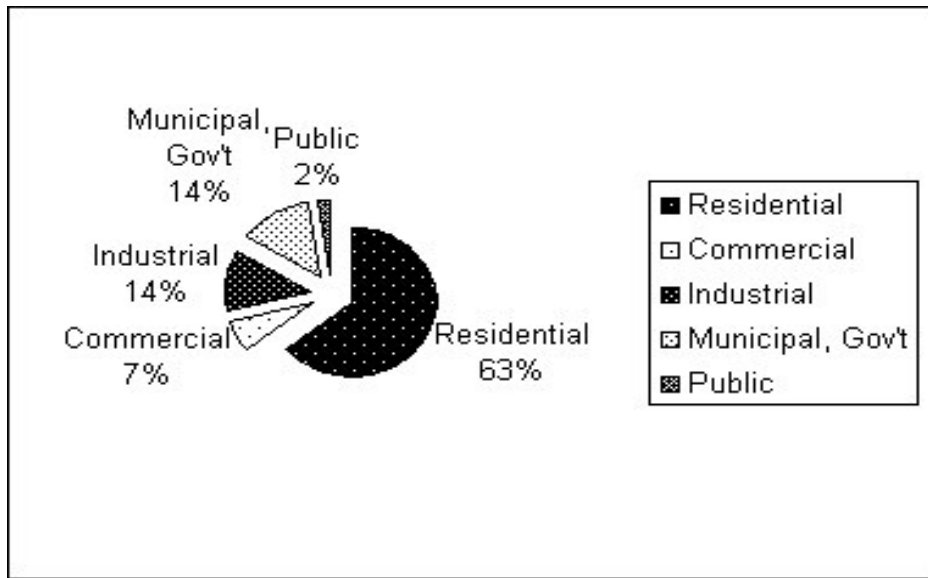
The first section of this chapter analyzes the existing zoning and current land-use patterns. These evaluations lead to the recommendations in the last section of the chapter, proposed changes to the current zoning, if any, and the revised Comprehensive Land Use Plan.

The second section of this chapter examines how existing zoning and subdivision regulations are affecting the physical characteristics of the Town, and establishes goals for new land use and zoning policies.

Review of Existing Land Use and Zoning

The Town of Mount Airy has experienced a large amount of land development since the last Comprehensive Plan was updated in 1994. To date, the majority of this land development has been in a residential capacity. Nearly 500 acres of land have come under residential development to some degree in the last seven years. During the late 1980s to late 1990s, the land that was under development was primarily in the Frederick County portion of Mount Airy. During the most recent two to three years, the Carroll County portion of the Town has taken the majority of the development activity and continues to do so. The Town is now experiencing the related effects of that major push of residential activity in terms of increased traffic flow, traffic congestion, increased park usage, and increased density of the Town population.

Overall, in the last seven years, the Town has developed roughly half of the vacant land inventory that was present in 1994. Residential is the largest land use with 62% of the total 2,600 acres now within the Town boundaries. Municipal, government, and road rights-of-way represent 17%, industrial land use totals 13%, commercial use totals 6%, and public uses such as the library, carnival grounds and post office constitute 2% of the land uses. Below is a chart showing the current state of land use within the Town boundaries.



| <i>Land Use /Zoning Classification</i> | <i>Acres</i> |
|--|--------------|
| Residential | 1,610 |
| Commercial | 162 |
| Industrial | 339 |
| Municipal, Gov' t, State Rightof-Way | 445 |
| Public Uses | 45 |
| Total | 2,601 |

Currently only 23% of the zoned land inside the Town boundaries is vacant. Of that vacant land inventory, 40% of the existing vacant land inventory is in industrial zoning, 57% is in residential zoning and 3% is in commercial zoning. Lack of availability of uncommitted commercial zoning has brought about a trend in Mount Airy that some of

semi-commercial uses are utilizing the industrial zoning in the Town. Of all the vacant land in town currently, close to 70% has an approved development plan.

A low supply of commercially zoned land has enabled land zoned commercial to command high prices. The main commercial activity is still centered on the interchange of I-70 and MD Route 27. The Peacock Property, which is now developed as the Peacock Center, was the only area of Town added to the inventory of commercial land since the last Master Plan Update in 1994. No additional commercial zoning was added to the downtown area during the last update.

All land development in the past six years has followed precisely what the comprehensive plan designated in the 1994 plan. Approximately 90% of all land use, including residential, mirrors the zoning category and comprehensive plan designation as stated on the official map. Most of the new residential development taking place in Town has been in R2 low density residential zoning; 56% of housing stock has a low-density residential classification and claims 73% of the land area devoted to housing. Medium density residential classifications comprise 29% of the housing stock on 21% of the land area, and high-density residential zoning comprises 15% of the housing stock on 6% of the residential land area. The large percentage of land use devoted toward residential development continues to classify the Town as a “bedroom” community.

Town Subdivision Activity The Town has processed more residential permits in the last three years than in the four years prior to that time period. Four major subdivisions have come under development and have been in the construction phase since 1995. Three of those subdivisions were single-family developments and one is strictly senior housing. By the start of 2004, there were 811 homes in the residential pipeline, of which only 34% had permits issued. Of that total pipeline, 16% are senior housing units, 31% townhouse units and the remainder is detached single-family development. There are no plans for new multi-family development.

This development pipeline will generate close to 2,500 people, a 32% increase to the current Town population of 7,811. Following is a current listing of the residential pipeline in Mount Airy.

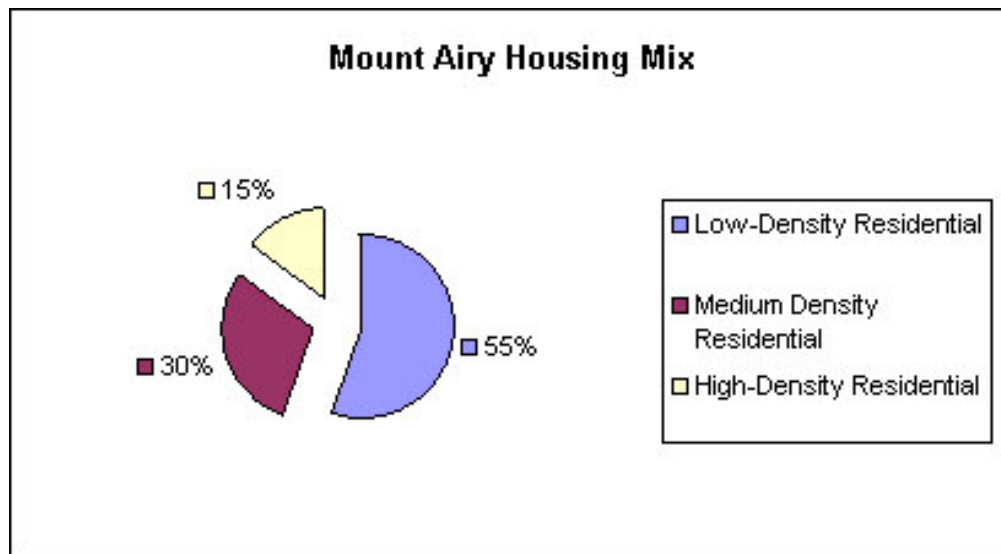


| Current Development Pipeline for the Town of Mount Airy – December 2003 | | | | |
|--|---------------|--------------|-----------------------|----------------------------|
| Development Name | Zoning | Units | Permits Issued | Permits Outstanding |
| 1- Wildwood Park V (Senior Housing) | R-3 | 69 | 57 | 12 |
| 2- Twin Arch Crossing- TH | R-7 | 255 | 135 | 120 |
| 3- The Woodlands of Nottingham -SF | R-2 | 185 | 43 | 142 |
| 4- Sterling Glen - SF | R-2 | 143 | 0 | 143 |
| 5- Ridgeville Heights - Duplex | R-3 | 38 | 0 | 38 |
| 6- Willow Glen - TH | R-7 | 49 | 35 | 14 |
| 7- Larel Estates - SF | R-2 | 11 | 8 | 3 |
| 8- Wildwood Park VI (Senior Housing) | R-3 | 61 | 0 | 61 |
| Total | | 811 | 278 | 533 |

Desirability of the area the Town's proximity to the Washington-Baltimore job market and subsequent regional growth have created a demand for housing that has been consistent for the last ten years. At times, any County or State policy changes have not affected County or State regulatory changes can affect the level of building in a certain municipality, but the level of demand for building in Mount Airy.

Housing Inventory and Housing Issues

The town has developed over the course of many years with primarily single-family housing. The current stock of housing is still predominantly single-family, still the preferred type for new residents. There have been more incidents of townhouse communities in town that range from small groupings of townhouses to developments of 100 to 200 units. The town has only one apartment complex that remains as rental units and it has been in existence for thirty years. The town zoning ordinance provides for the allowance of several different densities to be utilized either individually or together in various combinations. At this time, the town does not have a PUD (Planned Unit Development) type of zoning that combines existing residential densities with commercial or public uses. The current inventory of housing is shown, broken down into the following categories:



| Low Density Residential | Medium Density Residential | High Density Residential |
|--|---|--------------------------------------|
| 55% - All Single Family Larger Lots - 1/3 to 1/2 acre | 30% - All Single Family Smaller Lots- 1/4-1/8 acre | 15% - Townhouses and Multi-family |

Residential Permit Activity

The residential permit activity in the Town of Mount Airy has substantially increased in the last four years. This increase directly relates to the land annexed into the Town boundaries in the early 1990s that was assigned residential zoning. This recently annexed land went through the development review process in the mid 1990s and started construction in the late 1990s. The years subsequent to those annexations show a sharp increase in the amount of new residential permits issued in the town.

| <i>Permit Year</i> | <i>Single-Family</i> | <i>Townhouse</i> | <i>Multi-Family</i> | <i>Total Residential Permits</i> |
|---------------------------|-----------------------------|-------------------------|----------------------------|---|
| 1992 | 44 | 7 | 0 | 51 |
| 1993 | 118 | 4 | 0 | 122 |
| 1994 | 81 | 16 | 0 | 97 |
| 1995 | 60 | 16 | 0 | 76 |
| 1996 | 50 | 0 | 0 | 50 |
| 1997 | 55 | 0 | 0 | 55 |
| 1998 | 107 | 0 | 1 | 108 |
| 1999 | 157 | 10 | 0 | 167 |
| 2000 | 164 | 25 | 0 | 189 |
| 2001 | 146 | 50 | 0 | 196 |
| 2002 | 66 | 25 | 0 | 91 |
| 2003 | 58 | 55 | 0 | 113 |

In order to control the amount of housing activity in any one calendar year, the Town of Mount Airy passed an ordinance in the late 1980s limiting each development to 40 residential permits per year. This worked well in allowing adequate facilities to keep pace with development in the early 1990s. However, in the later 1990s, the Town had three to five residential subdivisions building at one time, hence the sharp increase in overall permits. It may be prudent for the Town to consider an "overall" limitation of residential building permits on an annual basis to ensure that public facilities keep pace with development. *Emergency measures have been implemented for the past year and a half to reduce the allowable number of building permits per development in order to upgrade Town infrastructure that is vitally needed. These building permit limitations will remain in place until the Town considers all of the available resources necessary to serve the approved pipeline of development. The town may also consider an overall limitation of residential building permits in order to be able to provide adequate facilities over time.*



Housing Stock

The first major alternative housing in terms of "type" occurred with the development of a strictly senior housing community called Wildwood Park in the early 1990s. This development is not only unique in its design, but it also incorporates an assisted living and nursing home component in the center of the community. It is a "senior campus" that incorporates graduated levels of living for seniors, from independent to semi-

dependent to dependent care without having to move out of Mount Airy.

The core stock of housing in the older sections of town varies from large Victorians to smaller brick cape cods with much variety in-between. The lot sizes also have great variety in size, which adds to the fabric of residential development composing the older sections of town. The peripheral areas of the town are developed with new housing developments, some townhouse subdivisions, but predominately single-family detached houses.

Future areas of annexation that have considerable acreage should be able to offer a variety of housing types and price ranges within one subdivision. This may be accomplished by combining two or three residential zoning classifications of varying density within one "master planned" subdivision.

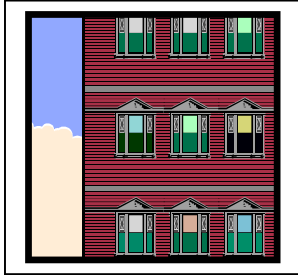
The town should continue to advocate the subdivisions that provide a variety of housing types in a range of prices. This would better serve and accommodate the diversity of needs for the growing resident population.

Housing vs. Employment

The balance between employment types of land uses and residential development has improved since the last plan update took place in 1994. Although an inventory of primarily service jobs has been created with the initiation of industrial land development, the town still leans heavily toward existing as a more residentially based community. That slant towards a residentially based community does not show any significant pattern of changing. Even with the balance of jobs to housing at a fairly low number, the majority of the residential population still has all essential services met in town with higher-level personal or shopping services available within a 20-mile radius. The town residents seem to be willing to accept a smaller range of services as a trade off for less congestion, traffic, and generally a less hectic lifestyle.

Downtown Land Use and Development

The last ten years have yielded a slow transition of business uses in the Mount Airy Downtown district. The building structures, including significant building structures such as the old firehouse and the old municipal town hall building, are still intact and significantly unaltered from their original architecture. The slowness of this transition has assisted in a way that ensures the protection of individual building integrity. Lately, in the last five years, there has been a trend toward renovating the interior of these



downtown buildings and occupying them with specialty stores that provide specialty retail goods and crafts for the regional market. There have been discussions referring to a mix-used commercial zone that may help stimulate additional redevelopment in the downtown area.

Review of Existing Zoning Categories

The residential zoning classifications were updated during the last Master Plan Update and have functioned according to the intentions behind how the zones were structured. All of the zoning categories have been utilized within the last five years and have resulted in designs that were in compliance with the zone.

CON- Conservation Zone (newly adopted zone): This zone was adopted to allow for a very low-density district (minimum of 3 acres per home site overall). This zone would be strictly limited in use to certain environmentally sensitive areas. The minimum lot size in this zone would be 24,000 square feet with an average of 40,000 square feet. It is meant to provide maximum protection to the outlying residential areas surrounding the Town. It will not be used as a “stand alone” zone except where recommended to address specific environmental concerns.

RE- Residential Existing: This zone was designed and functions to represent the majority of existing town low and medium density development. The minimum lot size for this zoning classification is 14,000 square feet, with an average of 18,000 square feet. The zone is designated in the core area of town along Main Street, North Main Street Area, Park Ave, and Ridge Ave. It is also designated in the western portion of Mount Airy and includes all of Twin Ridge, Village Gate, Mount Airy Village East and West and the Westridge Subdivision.

R1- Low Density Residential (newly adopted zone): This zoning designation was recently adopted to allow the provision of low-density development potential with concentration on good land management and harmony with the physical environment. This zoning classification allows a minimum area of 18,000 square feet with an average of 24,000 square feet. This zoning classification has not been assigned to any land areas within the municipal limits, but may be used alone or in conjunction with other residential densities on larger tracts of land.

R2- Low Density Residential: This zoning designation is typically assigned to newly annexed land in the peripheral areas of the town where new residential use is designated to be located. It also represents land area along East Ridgeville Boulevard, the new northern development of Summit Ridge and Twin Ridge III, as well as the residential zoning along the eastern portion of Watersville Road. The minimum lot size allowed within this zone is 11,000 square feet, with an average of 14,000 square feet. Two community park areas such as the Fireman's Carnival grounds and Watkins Park have a zoning designation of R-2, low density residential. The majority of newly designated low-density residential development is assigned an R-2 classification.

R3- Medium Density Residential: There are two main areas of R-3 Residential zoning and that is the area lying in-between Park Ave. and Ridge Ave. before entering the downtown area. It is designated in the Senior Housing complex and in the residential area north of Park Ave. This zoning classification represents smaller single-family lot sizes of 6,000 - 10,000 square feet. In the town this zoning classification is centered in a rather limited area. Conditional uses within this zone are those primarily allowed in the lower density residential zones.

R5- Medium Density Residential: This residential zone is provided in very specific areas of the town and was created in the last Master Plan update to provide for potential "Neighborhood Centers". The zone also allows for medium density detached and attached housing units and provides for some flexibility of design for a mixture of types of units allowed within the zone. The minimum lot size for this zoning classification is 6,000 square feet, with an average lot size of 6,000 to 8,000 square feet. The zone was intended to accommodate "community" based uses compatible to residential development such as daycare centers, recreational centers, non-profit organizational centers or churches.

At this time two such R-5 areas have been utilized in town. One neighborhood center area houses a nursing home/assisted living facility. The other area was dedicated to a recreational area; community pool nestled among smaller lot single-family homes. There is still one area of R-5 zoning that has not been developed and resides on the western portion of town.

R7- High Density Residential: There are five areas of high-density housing located in the Town. Three of these areas reflect existing townhouse developments and the other two are vacant and undeveloped parcels. There is an intermingling of townhouses in small amounts in other scattered areas around the town, but the large concentration of R-7 zoning represents existing townhouse developments.

NP- Neighborhood Professional (newly adopted zone): The purpose of this district is to encourage a transition in-between existing residences and more intensive commercial zoning. It will allow the redevelopment of existing homes and structures for professional

offices while protecting the lower intensity residential uses that adjoin the district. This zoning in the future will be placed in the peripheral commercial areas around town.

LC - Limited Commercial (newly adopted zone): This zone is intended to provide areas for a limited number of used retail and service establishments in close proximity to the residential area around them. This district is also intended to be a transitional zone while protecting the less intensive residential areas and the lower level neighborhood professional office areas.

CC- Community Commercial: This zone allows a wide variety of commercial uses, including shopping centers and special uses within the commercial zone such as gas stations, hospitals, institutions, and nursing home facilities, etc. The primary areas of community commercial zoning are along Rt. 27 and along Ridgeville Boulevard. There are several areas of commercial zoning, which abut existing residential development and cause conflicts as well as basic compatibility problems. This zone also does not prevent large box retail users from being built in town if they have adequate land area.

I- Industrial: The town only has one industrial classification that accommodates a wide variety of industrial uses. The main areas of industrial zoning are located in the five designated industrial parks located within the town limits. Four of these parks are situated in the eastern portion of the town in Carroll County and one is located in the Frederick County portion of Mount Airy. Commercial zoning is in short supply and some of the industrial parks have attracted commercial retail business. There have been some professional offices and "flex-space" type of buildings established in these parks that are compatible with other allowable uses within the zone.

Future Zoning Opportunities

The Town of Mount Airy is still considered a "bedroom" community consistent with the percentage of land in existing and proposed residential development. There are still over 200 acres of residentially zoned land that has development potential inside the Town boundaries and that is an adequate amount given the rate of growth in the Town during the ten years preceding this Master Plan. During the last Master Plan Update, there were an additional 250 acres of land given industrial zoning in order to help balance out the deficit of opportunities for "employment" zones and therefore future job creation and opportunity for local business expansion. The amount of industrial zoning is also quite adequate for the future growth for that type of development.

There is adequate vacant land inventory for both residential expansion and industrial expansion; the commercial land opportunities within the Town should be examined closely for the Town to be able to provide for continued business growth of a retail/service nature. This is an area of continuing concern and the plan should concentrate on the provision of commercial land opportunities for new or expanding local businesses without overburdening the current infrastructure improvements to handle such

expansions. Commercial zoning locations should be closely evaluated so that they are established in areas of planned infrastructure improvements.

The unbalancing effects of major episodes of residential growth are things such as a lack of balance of other types of land use growth and development. The percentage of residential growth that has occurred in Mount Airy in the last ten years has greatly surpassed the amount of commercial and industrial development in that same period of time. Whenever there is a shortage of services in relation to population, the job to housing ratio is lower than a healthy mix should allow. Therefore, the Town should strive towards providing enough alternative zoning categories that assist in providing adequate employment opportunities.

One area of zoning classification that has just received updating is the creation of a lower intensity commercial zone that focuses on utilizing the existing housing inventory along peripheral commercial areas for office space and home-based businesses. Two intermediate zones have been created, which were previously discussed. These new zones are of less intensity than the standard "Community Commercial" zone and will allow a calming effect of "transitional" commercial uses. It should also provide opportunities for business expansion but at the same time provide buffering for adjoining residential uses from the more intensive commercial activity and allow adaptive reuse of existing residences.

Comprehensive Land-Use Plan

The comprehensive land use categories will remain the same and continue to establish the desirable land use activity as designated in the last Master Plan. A concise description of the existing comprehensive plan classifications follows:

Open Space and Public Use: This category is applied to land currently used for open space and public use, but includes school grounds and town parks. It has also been applied to the greenway and linear park proposed for the South Branch of the Patapsco River. Where land is identified as Open Space or Public Use but not currently developed, the dedication can be achieved through application of the residential zones in place.

Low-Density Residential: This category corresponds to the RE-Residential Existing or the R-2 zone. Approximately 138 acres of low-density residential zoning not yet developed fits into this category. This acreage could potentially yield 250 homes. It also includes future development in the Nottingham subdivision, which borders the rails to trails right-of-way and can protect it from more intensive development in the future.

Medium-Density Residential: This category corresponds to the R-3 and R-5/neighborhood center zoning that is assigned in various locations in town. Thirty-six 36 acres in this zone are undeveloped. The undeveloped land has a potential of yielding 144 homes if developed.

High-Density Residential: This category corresponds to the existing R-7 zone. Only one site is vacant and does not have any current development plans on it. The remaining R-7 zoning classifications reflect existing developments or high-density subdivisions under development. The amount of R-7 zoning still represents a small amount of the total housing inventory in town. Forty-four acres remain in undeveloped R-7 land located on the east side of MD 27, north of the Twin Arch Shopping Center. This property could yield up to 300 housing units within the zone.

Commercial: This category corresponds to the existing Community Commercial zone, and is concentrated around the intersection of I-70 and Route 27. It is undesirable for continuous strip development of commercial zoning to occur along the corridor of Route 27, north of Ridgeville Boulevard. To do so would compromise traffic flow along Route 27, especially during peak periods.

Employment: This category corresponds to the Industrial zoning classification. Properties designated for employment are all of the existing Industrial Parks along with the industrial types of businesses located along Center Street that is planned to eventually connect up with Route 27. The only other future area of employment that is designated is below Rt. 144 and north of I-70 on the Frederick County side of Route 27. The proposed future extension of Rising Ridge Road to South Main Street would assist in servicing business traffic into this area.

Estimated Residential Development:

Under the 2003 Comprehensive Land Use Plan, residential development on vacant land *currently within the Town limits* is anticipated to yield the following number of housing units.

| <i>Town of Mount Airy Residential Development Potential</i> | | | | |
|--|--------------------|---------------------|----------------------------|-----------------------|
| <u><i>Category</i></u> | <u><i>Zone</i></u> | <u><i>Acres</i></u> | <u><i>Avg. Density</i></u> | <u><i># Units</i></u> |
| Low Density | RE/R-2 | 136 | 1.75 du/ac | 230 |
| Med. Density | R-3/R-5 | 30 | 4 du/ac | 102 |
| High Density | R-7 | 36 | 7 du/ac | 214 |
| Totals: | | | | 546 |

This estimate of new units does not include the potential for the possible future annexation areas of Town, but takes into consideration areas of residential zoning that are vacant but do not have any current development plans on them. Based on an average of 75 to 100 new residential building permits issued per year, the above number represents

roughly a five and half-year buildout of current vacant zoned land. The amount of building permits may vary from year to year dependent upon economic factors or other controlling regulatory mechanisms that may be instituted by the Town.

Future Annexation Areas: The ultimate town boundaries as defined in the 1994 plan will not be further expanded. The future service area for water and sewer capabilities will also remain the same. There are four major farms that include 900 acres of land not yet annexed into the town. The ultimate town boundaries were established as a result of surrounding county development policies, environmental features, and road configurations, both existing and planned. The accompanying map delineates the potential annexation areas and the text summarizes issues that are involved in the decision of whether or not to annex a property, what the proposed uses of the property should be, and what priority each property would command.



Opportunities and Constraints of Future Annexation Areas

As previously stated, there are 900 acres of land between the current town limits and the ultimate town boundaries as established in the 1994 Master Plan. This acreage is split into four farms, two on the Frederick County side of Mount Airy and two on the Carroll County side of Mount Airy. Frederick County and Carroll County identify much of this land for residential development at densities higher than that, which would normally be permitted in the county, with the intent that the Town would someday annex this property.

There is no obligation on the part of the Town to annex additional property. If a decision to annex additional land were to be made, it should be a conscious decision by the Town to permit additional development within the corporate limits.

If the Town chooses to annex additional property, it should always do so with the knowledge that some potential annexation properties offer more advantages than others, and the sequence of annexation should be considered so that services are not unnecessarily burdened by low-priority development. The Town may also encourage the development of a "master plan" for large parcels of land that could ensure the maximum efficiency of the parcel along with assurance of adequate capital facilities, land density and recreational improvements.

The accompanying map, "Future Annexations Areas", breaks the future potential annexations into parcels, and illustrates the opportunities or constraints of each land area. Opportunities a parcel may offer include additions to the planned road or open space

networks, potential well sites or protection of well recharge areas, conditions that make a property ideal for a needed land-use, and other significant features.

Constraints may include poor accessibility or undue burdens on the existing road network, extreme environmental conditions that make the property unsuited for certain types of development, and similar factors that may limit potential use of a property. Constraints do not suggest that a property should not be annexed, but should influence potential land use decisions, and may affect the prioritization of annexations. Site-specific conditions, including slopes, floodplain, wetlands, forested areas, streams, accessibility, viewsheds, and similar characteristics should be thoroughly considered before any annexation and zoning decision is made.

The following discusses the merits of each parcel:

Parcel A: Parcel A includes a 25-acre property north of Prospect Road, west of Westridge subdivision. It is currently being used agriculturally and is known as the Rigler Property. It is located directly south of the 90-acre Town-owned parcel with public well number 9 on it. The land uses surrounding this property in the Town and Frederick County are single-family residences on lots that range from one-third of an acre up to two acres. This property should be developed in a low-density residential manner because of the surrounding residential land uses.

Parcel B: Parcel B contains 275 acres and includes land northwest of the Town in Frederick County. Some of this property would include the planned Old Annapolis Road extension, which would serve as the northern Town boundary. The southern edge of this parcel borders the planned open space network and could significantly contribute to this feature.

If this property were to develop the option should be reserved to provide a major road connection from Buffalo Road to Rising Ridge Road. Otherwise, traffic generated by this development would be forced through the older areas of the Town. Much of this land is relatively flat and unwooded, making it ideal for active recreation purposes and fairly easy to develop. Given the distance from I-70 and Route 27, it is recommended that this property be primarily residential.

Parcel C: Parcel C contains 32 acres and is within Carroll County. This long parcel is sandwiched between N. Main Street and Route 27, slopes eastward. It is highly visible from Route 27. Two properties that lie between Watersville Road are a twelve-acre track belonging to St. James Episcopal Church and a 5-acre parcel belonging to Mt. Airy Baptist Church; they were both annexed into Town in 2000. The twelve-acre commercially zoned parcel located at the corner of Candice Drive and MD 808 was annexed into the Town in 1995.

The remaining properties are considered to be "Dorseytown" and are slated to be in the Town limits eventually. The ultimate Town limits will continue to show the entire area from Watersville Road and North Main Street to the intersection of North Main Street and MD 27 as entirely within the corporate limits. The recommended zoning classification for this infill area is RE or R-1 Low – Density Residential.

Parcel D: Parcel D consists of 300 acres and is within Carroll County. It borders MD 27 and Watersville Road. Some residential development has already occurred on Boetler Road. If this property is developed a road is proposed to link MD 27 at North Main Street to Boetler Road. Some of this land is low-lying and may be floodplain or wetlands. The property abutting Watersville Road is relatively flat, and would be ideal for recreational purposes. Future development of this parcel should be primarily low-density residential and should include the dedication of a future 40-acre school site. If this property were to be developed in Carroll County it would be eliminated from the future growth area of the Town.

Parcel E: Parcel E is known as the Knill property and contains 200 acres within Carroll County. This parcel consists of right-of-way for Rt. 27 and one large dairy farm. This property is relatively level, and is highly visible from Rt. 27, Watersville Rd. and the proposed recreational trail. Two major roads are proposed through this property, as delineated in the 1994 plan. One road runs north to south, connecting Center Street extended to Watersville Road. The other runs east to west, connecting the new road to residential property already within the Town. These roads are intended to help interconnect neighborhoods on the east side of Rt. 27 and limit unnecessary traffic on MD 27.

Because of its size, the property would need to be “master planned” to create the most efficient and environmentally sensitive design. It is likely that this property would be a combination of zoning classifications, residential, commercial and recreational. No well site has been identified on this property, although a new town well should be considered with the development of this large parcel. It is also within the recharge area for well #6.

Parcel F: Parcel F contains 120 acres and is within Carroll County. It is moderately hilly, and borders the South Branch of the Patapsco River. There are several significant wooded areas within the parcel. There are many large residential parcels on this lot, and a request for annexation of this area may be anticipated in the future. Two potential well sites are identified within this parcel, and the Twin Arch Bridge borders the southeast end of the site. The Towns water consultants have strongly recommended well exploration and development in this area. It has been generally determined as the last area of the Town that should be explored to yield well development. Recommended future land uses are primarily residential, although commercial or industrial uses may be considered if the surrounding properties develop with non-residential uses.

Parcel G: Parcel G is entirely within Frederick County and contains 180 acres. It is currently farmed although a significant wooded hillside exists on the west side of the property. The site is visible from I-70, and could be readily accessed by the planned extension of Rising Ridge Road to Rt. 27. No well has been identified on the site; however, the property lies within the recharge area for town well #7. The property has good potential for office and related uses given its visibility from I-70 and excellent accessibility from Rt. 27.

Future Annexation Plan: Parcels B, D, E, and G offer the most opportunities and least constraints. Parcel G could provide the highest priority planned road, Rising Ridge Road Extended, and provides for additional office development. Parcel E includes a central link to the planned recreational trail, and an important road network accessing the property to its west. Parcel B would also contribute to the open space network. Parcel D has potential for a combination of recreational and residential development.

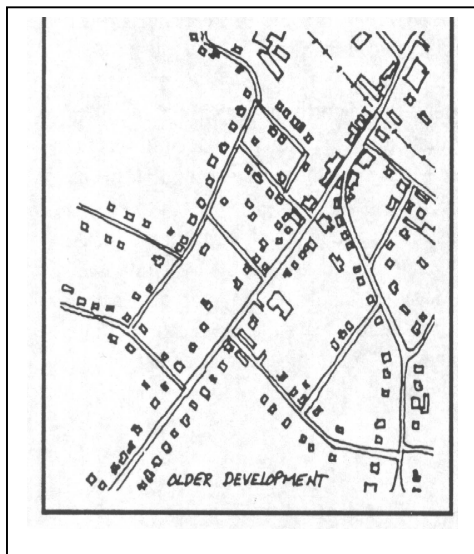
Of the seven parcels, Parcel G is a good candidate for additional employment land use. *The remaining six parcels are all recommended for low to moderate density residential development.*

The Town has vacant land already inside its limits. It is recommended that any future annexation decisions weigh the ability of existing services to handle the growth impacts of all currently incorporated vacant property as well as the annexation parcel.

Diversity of Zoning and the Town Character (*Patterns and diversity of land uses*)

Current zoning categories tend to define a narrow range of permitted building types or land uses. These categories are typically applied to an entire property such that a 200-acre parcel may be designated as one zone only. This practice results in residential sprawl or lengthy commercial strips.

The contrast between the old and new areas of Town is exaggerated by this different "pattern" of development. The older areas of Mt. Airy were developed over a long period of time and were generally not regulated by restrictive zoning categories. Within the older areas, a great variety of residential building types and small and large commercial facilities can be found intermingled. There is minimal conflict caused by this integration, and the mix of building types and uses has greatly contributed to the character of the Town.



Older Development pattern of Main Street and Park Ave.

The diversity of land-uses in the older areas of Town also accommodates activities that tend to be excluded by the strict

categorization of current zoning. Home-based businesses, small professional offices, bed and breakfasts, daycare, apartments above retail shops, and similar uses that do not fall neatly within a zoning category have difficulty finding an acceptable site within the Town. The possible creation of a zoning classification for the downtown area that accommodates a variety of mixed uses may be in order.

Older areas of Town are sources of pride to the community. Much of their attraction is derived from the unique mix and diversity of land uses. Plans for new development are often the source of confrontation between officials, citizens and developers. Many times, controversy surrounding new development is respectful to the existing town or neighborhood surroundings.

Neighborhood Connections

As mentioned previously, a single zoning category is typically applied to large tracts of land. Because the Town previously had relatively few zoning categories, the incompatibility of development in adjacent zones had become more noticeable. To address this disparity, the two new transitional commercial zones were created. The careful placement of these transitional zones will assist in buffering established residential areas from heavy commercial activity. The specific requirements of both zones, special requirements for buffer landscaping and special lighting requirements assist in the creation of a good relationship between office uses and residential uses.

The connections that are sometimes provided between adjacent developments are sidewalks, but special lighting and buffering requirements can make those connections safer and more aesthetically pleasing. Higher speed collector or arterial roads especially need this buffer to protect adjoining residential areas. Through the subdivision design process, the Town has worked to foster more pedestrian and bikeway connections through newer neighborhoods.

The overriding goal of good design and infill development should be to complement the surrounding existing development. Zoning regulations should encourage this complement instead of creating isolated and disconnected uses.

| |
|---|
| <p><u>Recommendation:</u> Continue to create Zoning and supplemental regulations along with subdivision design that fosters community cohesiveness by providing that all development is accessible, visible, and interconnected.</p> |
|---|

Site Design and Zoning

The type and intensity of land use is not always compatible with the site features of the parcel it was designated for. Properties with slopes of over 15% are difficult to develop, given any land, use without significant grading that destroys the existing topographical

features, forests and other vegetation. Similarly, developments in older areas of town are forced to conform to regulations for new development, rather than being forced to conform to the established character. The Town has recently adopted some additional residential and commercial zoning classifications that will assist in providing development with good site design in appropriate locations.

Recommendation: Review and revise the zoning regulations where they conflict with good site design practice.

Reverse Frontage Lots are not desirable off a major collector road



Lot Design and Zoning

Zoning criteria including lot size, setbacks, minimum lot width and parking requirements have a significant effect on the design of a building site.

Rather than provide minimum guidelines, the current zoning regulations tend to be very demanding, and most of the lots developed under the same zone are almost identical. The impact of this inflexibility on new residential lot design can be compared to the character of older residential development. On Main Street, lot sizes range from 2 acres to 12,000 square feet or less. The average lot size in newer subdivision is about 18,000 square feet.

The existing RE- residential existing zone was devised during the last plan update and has been assigned to the majority of core neighborhoods and established new subdivisions constructed during the previous 10 to 15 years. In this zone, which is the lowest residential zoning classification assigned, typical lots are 18,000 square feet, but may go up to 22,000 square feet.

The R-2 zone instituted during the last plan update allowed the minimum lot size to be reduced to 11,000 square feet. In most cases, the lot sizes in new subdivisions range from 14,000 to 20,000 square feet but having a lower minimum lot size allows more flexibility in design. This flexibility in design can help to make new peripheral subdivisions more environmentally friendly and help infill housing developments more sensitive to the surrounding established neighborhoods.

Recently the Town has added two more residential zoning classifications to allow a greater range of lot sizes. The *R-1 residential zone* allows a larger minimum lot size than is currently mandated in the R-2 zone affording adjoining low-density outside of town a greater level of protection. The newly created *Conservation zone* allows a low-density residential “clustering” in order to protect and promote environmentally sensitive design.

Recommendation: Zoning criteria should continue to be reviewed to allow for better design options that result in more attractive neighborhoods.

The following rezoning recommendations are being made for this update of the comprehensive plan:

1. Norma Lee Dennis Property/ Calvary Church Property-
 - Current zoning RE- Residential Existing
 - Rezone existing RE zoning to LC - Limited Commercial on both parcels.
2. Humphreys/Lloyd/Fleming Property -
 - Current zoning R3 - Medium Density Residential
 - Rezone all three properties to LC - Limited Commercial
3. South Main Street Properties -
 - Current zoning RE- Residential Existing
 - Rezone Gehle, Runkles, Moxley properties on the east side of South Main Street
 - as CC- Community Commercial
 - Rezone Weierbach and Baker properties on the west side of South Main Street
 - as NP- Neighborhood Professional.
 - Rezone the properties from Gehle to Verizon as LC- Limited Commercial.

- Rezone the German and Brightwell properties on the east side of South Main Street as NP- Neighborhood Professional.
- 4. Beck Property - West side of MD 27 at Center Street
 - Current zoning I- Industrial
 - Rezone as CC- Community Commercial
- 5. Center Street Corridor - All properties west of the Beck property along the Center Street Corridor
 - Current zoning I- Industrial
 - Rezone as CC- Community Commercial
- 6. Runkles Property - Arlene Runkles Property located on Plainview Ave.
 - Rezone from current R5- medium density residential to R2- low density residential.

Policy Recommendations:

- 1. Maintain the current ultimate growth boundaries and ultimate water and sewer service areas as approved in the 1994 Master Plan with adjustments made for recent annexations.**
- 2. Continue to assign transitional zoning categories between residential uses and more intensive commercial and industrial classifications.**
- 3. Continue to require buffer areas between residential uses and more intensive commercial and industrial uses.**
- 4. Work with Carroll and Frederick Counties to establish ultimate growth limit lines and ultimate population growth limits that are beneficial to the town and match future infrastructure improvements.**
- 5. Continue to require 10% open space dedications on *useable* ground as part of the subdivision approval process.**
- 6. Plan for additional commercial growth only where planned or existing infrastructure can support it.**
- 7. Provide comprehensive adequate public facilities analysis at the concept plan stage in order to completely evaluate new development proposals for residential, commercial or industrial development.**

8. Encourage the "master planning" of large parcels of ground at the development stage to ensure maximum efficiency of land density, open space and adequate infrastructure improvements.

9. Develop an infrastructure balance sheet to determine deficiencies in public infrastructure prior to approving new development.